

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
Civil Action No. 5:18-cv-00142-MR

EARL JAMES WATSON,

Plaintiff,

vs.
PAULA SMITH, ET AL.,

Defendants.

**RESPONSE TO MOTION FOR
LEAVE TO FILE AMENDED
COMPLAINT**

Frank E. Rinaldo, Jr. submits this Response to Plaintiff's *Motion for Leave to File an Amended Complaint* (Doc. 170). This most recent filing by the Plaintiff is yet another attempt by the Plaintiff to bring Defendants who the Court has already dismissed from the case back into the case. This Motion should be denied. The Motion seeks to add a claim under 42 U.S.C. 1983. For the same reasons Plaintiff's initial Complaint fails to state a claim against Rinaldo, this claim also fails. Accordingly, the Motion should be denied.

This the 12th day of January, 2021.

ROBERTS & STEVENS, PA

/s Phillip Jackson
Phillip T. Jackson (#21134)
PO Box 7647
Asheville, NC 28802
pjackson@roberts-stevens.com
(828) 252-6600
*Attorney for Frank E. Rinaldo,
Jr.*

CERTIFICATE OF SERVICE

I certify that I have served the foregoing document on all parties who have an account with CM/ECF by notice of an electronic filing through the CM/ECF system. I further certify that I served a true and correct copy of the foregoing document on Plaintiff by depositing a copy, postage paid, in a USPS depository, properly addressed as set forth below.

Earl James Watson
#0427261
PO Box 460
Badin, NC 28009

This the 12th day of January, 2021.

ROBERTS & STEVENS, PA

/s Phillip Jackson
Phillip T. Jackson